

Practitioner's Docket No.: 892_019

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the application of: Akira WAKABAYASHI

Ser. No.: 09/908,945

Group Art Unit: 3641

Filed: July 19, 2001

Examiner: James S. Bergin

Confirmation No.: 1922

For: ONLINE TRADING SYSTEM

Mail Stop AF
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

RECEIVED
CENTRAL FAX CENTER
DEC 03 2004

CERTIFICATION OF FACSIMILE
TRANSMISSION

I hereby certify that this paper is being facsimile
transmitted to 703-872-9306 in the Patent and
Trademark Office on December 3, 2004.

Janet M. Stevens
Janet M. Stevens

REQUEST FOR RECONSIDERATION AFTER FINAL REJECTION

Sir:

The following remarks are in response to the Office Action mailed August 9, 2004.

Claims 3-6, 10 and 11 are pending herein.

1. Applicant notes that the Examiner has withdrawn claims 6 and 11 from further consideration. Applicant thanks the Examiner for the courtesy of including claim 4 in the Office Action. However, Applicant asserts that claim 3 is generic to all species and, therefore, claims 6 and 11 have been maintained.

2. Applicant notes that the Examiner has made the action final. However the claim amendments submitted with the Amendment filed on December 3, 2003 were to overcome the Examiner's §112 rejection, not the then-asserted prior art rejection. Accordingly, Applicant respectfully submits that the new rejection should have been non-final. That is, Applicant's Amendment did not necessitate the new grounds of rejection.

FAX Transmission Sheet
BURR & BROWN
Intellectual Property Practice

RECEIVED
CENTRAL FAX CENTER

DEC 03 2004

101 South Salina Street, 7th Floor
Syracuse, New York 13202

Telephone: (315) 233-8300
Facsimile: (315) 233-8320

OFFICIAL BUSINESS - AFTER FINAL REJECTION

Date: December 3, 2004

To: Examiner: James S. Bergin
Art Unit: 3641

Fax No.: 703-872-9306

From: Stephen P. Burr

Subject: U.S. Application Ser. No. 09/908,945
Filed: July 19, 2001
Conf. No.: 1922
Title: ONLINE TRADING SYSTEM

Our Ref.: 892_019

You should receive 8 page(s) including this cover sheet. If you do not receive all pages, please call (315) 233-8300.

CERTIFICATION OF FACSIMILE TRANSMISSION

I hereby certify that the following paper(s) is/are being facsimile transmitted to 703-872-9306 at the Patent and Trademark Office on December 3, 2004:

• Transmittal (in duplicate)	<u>2</u> pages
• Request for Reconsideration (pages 1-5)	<u>5</u> pages
• This Cover Sheet	<u>1</u> page

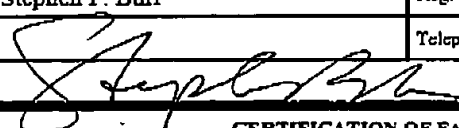
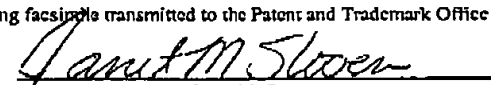
Total Pages

8


Janet M. Stevens

IMPORTANT: THIS MESSAGE IS INTENDED ONLY FOR THE USE OF THE INDIVIDUAL OR ENTITY TO WHICH IT IS ADDRESSED, AND MAY CONTAIN INFORMATION THAT IS PRIVILEGED, CONFIDENTIAL AND EXEMPT FROM DISCLOSURE UNDER APPLICABLE LAW. IF THE READER OF THIS MESSAGE IS NOT THE INTENDED RECIPIENT, OR THE EMPLOYEE OR AGENT RESPONSIBLE TO DELIVER IT TO THE INTENDED RECIPIENT, YOU ARE HEREBY NOTIFIED THAT READING, DISSEMINATING, DISTRIBUTING OR COPYING THIS COMMUNICATION IS STRICTLY PROHIBITED. IF YOU HAVE RECEIVED THIS COMMUNICATION IN ERROR, PLEASE IMMEDIATELY NOTIFY US BY TELEPHONE, AND DESTROY THE COMMUNICATION. THANK YOU.

BURR & BROWN

TRANSMITTAL FORM (Provisions of 37 CFR 1.136 Apply)						
Application Number	09/908,945		Filing Date	July 19, 2001		
Group Art Unit	3641		Examiner Name	James S. Bergin		
Confirmation No.	1922		Attorney Docket No.	892_019		
Inventor(s)	Akira WAKABAYASHI					
Invention:	ONLINE TRADING SYSTEM					
Transmitted herewith is a Request for Reconsideration in the above-identified application. The fee has been calculated as follows:						
CLAIMS						
(1)	(2) Claims Remaining	(3)	(4) Highest Number Previously Paid	(5) No. of Extra Claims Present	(6) Rate (Large Entity)	(7) Additional Fee
TOTAL CLAIMS	6	MINUS	20	0	\$18.00	\$00.00
INDEP. CLAIMS	1	MINUS	3	0	\$88.00	\$00.00
TOTAL ADDITIONAL FEE						\$00.00
EXTENSION OF TERM						
<input checked="" type="checkbox"/> Applicant believes that no extension of term is required. However, this conditional petition is being made to provide for the possibility that applicant has inadvertently overlooked the need for a petition for extension of time.						
<input type="checkbox"/> This is a request under the provisions of 37 CFR 1.136(a) to extend the period for filing a reply in the above-identified application. The requested extension and appropriate non-small entity fee are as follows:						
<input checked="" type="checkbox"/> One Month (37 CFR 1.17(a)(1)) \$110.00					110.00	
<input type="checkbox"/> Two Month (37 CFR 1.17(a)(2)) \$430.00						
<input type="checkbox"/> Three Month (37 CFR 1.17(a)(3)) \$980.00						
TOTAL FEES DUE						110.00
<input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. Therefore, the fee amount is reduced by one-half, and the resulting fee is:						
FEE PAYMENT						
<input type="checkbox"/> No additional fee is required. <input type="checkbox"/> A check in the amount of \$ is enclosed. <input checked="" type="checkbox"/> Charge Deposit Account 50-1446 in the amount of \$110.00. Enclosed is a duplicate copy of this sheet. <input checked="" type="checkbox"/> Please charge any fees which may be required, or credit any overpayment, to Deposit Account 50-1446.						
Submitted By:						
Name (Print Type)	Stephen P. Burr		Reg. No.	32,970	Customer No.	025191
			Telephone	(315) 233-8300	Facsimile	(315) 233-8320
Signature					Date	December 3, 2004
CERTIFICATION OF FACSIMILE TRANSMISSION						
I hereby certify that this paper is being facsimile transmitted to the Patent and Trademark Office on December 3, 2004 at 703-872-9306.						
 Janet M. Stevens						

TRANSMITTAL FORM

(Provisions of 37 CFR 1.136 Apply)

Application Number	09/908,945	Filing Date	July 19, 2001
Group Art Unit	3641	Examiner Name	James S. Bergin
Confirmation No.	1922	Attorney Docket No.	892_019
Inventor(s)	Akira WAKABAYASHI		
Invention:	ONLINE TRADING SYSTEM		

Transmitted herewith is a Request for Reconsideration in the above-identified application. The fee has been calculated as follows:

CLAIMS

(1)	(2) Claims Remaining	(3)	(4) Highest Number Previously Paid	(5) No. of Extra Claims Present	(6) Rate (Large Entry)	(7) Additional Fee
TOTAL CLAIMS	6	MINUS	20	0	\$18.00	\$00.00
INDEP. CLAIMS	1	MINUS	3	0	\$88.00	\$00.00
TOTAL ADDITIONAL FEE						\$00.00

EXTENSION OF TERM

- ☒ Applicant believes that no extension of term is required. However, this conditional petition is being made to provide for the possibility that applicant has inadvertently overlooked the need for a petition for extension of time.
- ☐ This is a request under the provisions of 37 CFR 1.136(a) to extend the period for filing a reply in the above-identified application. The requested extension and appropriate non-small entity fee are as follows:

- ☒ One Month (37 CFR 1.17(a)(1)) \$110.00
- ☐ Two Month (37 CFR 1.17(a)(2)) \$430.00
- ☐ Three Month (37 CFR 1.17(a)(3)) \$980.00

TOTAL FEES DUE

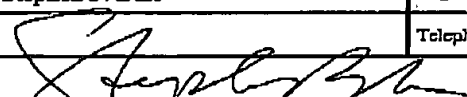
110.00

- ☐ Applicant claims small entity status. See 37 CFR 1.27. Therefore, the fee amount is reduced by one-half, and the resulting fee is:

FEE PAYMENT

- ☐ No additional fee is required.
- ☐ A check in the amount of \$ is enclosed.
- ☒ Charge Deposit Account 50-1446 in the amount of \$110.00. Enclosed is a duplicate copy of this sheet.
- ☒ Please charge any fees which may be required, or credit any overpayment, to Deposit Account 50-1446.

Submitted By:

Name (Print Type)	Stephen P. Burr	Reg. No.	32,970	Customer No.	025191
		Telephone	(315) 233-8300	Facsimile	(315) 233-8320
Signature				Date	December 3, 2004

CERTIFICATION OF FACSIMILE TRANSMISSION

I hereby certify that this paper is being facsimile transmitted to the Patent and Trademark Office on December 3, 2004 at 703-872-9306.


Janet M. Stevens